

OPINION
56-79

March 10, 1956 (OPINION)

MEMORIALS

RE: Expenditures Justified

I have your letter of March 1, 1956, with reference to expenditures by a board of county commissioners for erection of war memorial building as provided by sections 11-3201, 11-3202, and 11-3203 of the 1953 Supplement to the North Dakota Revised Code of 1943, as amended.

You call attention to the fact that some boards have been making purchases of supplies, movie projectors, fire trucks, and other equipment, and your question is whether or not such expenditures are justified under the provisions of the above-cited sections.

It is our opinion that this would depend upon what the county commissioners started out to do. If they proposed to erect a community building as a memorial to war veterans, I think they would be justified in equipping it with whatever equipment is necessary to make a satisfactory building, wherein dinners might be served and community gatherings held. To that end, a good kitchen might be necessary.

It seems that a great deal of discretion is left to the county commissioners in this connection, although they could go too far and purchase articles which have no relation to a memorial building. It would be my opinion that they would be justified in furnishing permanent equipment and fixtures which are necessary to the adequate use of a building for community purposes. It would seem to me that fixtures should be a part of the building or at least such equipment as chairs and things that are indispensable to the use of the building. It occurs to me that such equipment as musical instruments, projectors, and other equipment of that kind could be furnished by the community itself through some popular fundraising method.

LESLIE R. BURGUM

Attorney General